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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,622	11/20/2001	Kenji Yoshioka	21900/0037	2069

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EXAMINER

PEREZ, JULIO R

ART UNIT	PAPER NUMBER
2681	6

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/937,622

Applicant(s)

YOSHIOKA ET AL.

Examiner

Julio R Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/4
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-⁸~~12~~ are rejected under 35 U.S.C. 102(b) as being anticipated by Timm et al. (5572204).

Regarding claim 1, Timm et al. teach an emergency communication system with an emergency communication system terminal unit provided on a vehicle, comprising: an emergency communication transmission button for starting transmission processing when pressed by a user in an emergency (col. 1, lines 61-62; col. 3, line 2; Fig. 1, ref. 26, a button to announce an emergency); gyro sensor for detecting advancing direction of the vehicle (col. 4, lines 5-10; vehicle movement and speed may be determined as the receiver (in vehicle) moves in relation to the satellites, in which the movement causes a shift in the signals; that is, the Doppler effect); a GPS antenna for receiving signal waves from a plurality of satellites (col. 2, lines 61; Fig. 23, a GPS antenna is attached to the GPS receiver for receiving signals from satellites (12)); a GPS receiver for detecting predetermined data respectively from a plurality of signal waves received by said GPS antenna (col. 2, line 60; Fig. 21, GPS receiver receives signal waves through the GPS antenna); a position information acquisition unit for generating position information to indicate position of the vehicle based on a signal from the gyro sensor

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and the GPS receiver (col. 2, lines 3-5; col. 4, lines 5-10, a position locator provides position information about the vehicle position, which is updated every one second); a storage unit for storing various types of data (col. 4, lines 10-13; col. 7, lines 33-39, the system provides means for storing several data); emergency communication conveying means for transmitting emergency information using a telephone number stored in advance in said storage unit when said emergency communication transmission button is pressed (col. 2, lines 5-11; col. 4, lines 56-63; col. 7, lines 33-34; a cellular telephone number may be dialed by the cellular transceiver); data output means for outputting data including advancing direction of the vehicle inputted from said gyro sensor and position information generated according to a signal inputted from said GPS receiver to a navigation system connected to external part of the emergency communication system terminal unit (col. 7, lines 40-44 and 49-52; col. 8, lines 11-16, a display, the message center, means for outputting data information is contained within the system); and a control unit for controlling the entire emergency communication system terminal unit (Fig. 1, ref. 20; col. 2, lines 6-11; col. 2, lines 59-60, the controller controls the communication means of the emergency communication system and the rest of the system).

Regarding claim 2, Timm et al. teach an emergency communication system, wherein a position information, indicating position and status of the vehicle as generated according to a data from said gyro sensor and to a signal from said GPS receiver from the data necessary for performing map matching and possessed by the position information acquisition unit to said navigation system by said data output means based

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on trigger condition such as a request of the navigation system or a timer in the control unit (col. 7, lines 33-52; col. 8, lines 11-16, position information is provided with respect to the location of the vehicle and may be displayed by the display means, the message center).

Regarding claim 3, Timm et al. teach an emergency communication system, wherein a speed pulse data indicating the present speed of the vehicle as possessed by said position information acquisition unit is outputted to said navigation system by the data output means based on trigger condition such as a request of the navigation system or a timer in the control unit (col. 4, lines 5-10; col. 7, lines 49-52; col. 8, lines 11-16, position of the vehicle location is validated every one second; the validation also includes the updating of the speed and direction of the vehicle).

Regarding claim 4, Timm et al. teach an emergency communication system, wherein a reverse data indicating moving status of the vehicle such as forward moving or backward moving and possessed by said position information acquisition unit is outputted to said navigation system by the data output means based on trigger condition such as a request of the navigation system or a timer in the control unit (col. 4, lines 5-13; col. 7, lines 49-53; col. 8, lines 11-16, the direction and speed of the vehicle may be determined by Doppler effects, as received on the GPS satellites signals, as the vehicle is moving).

Regarding claim 5, Timm et al. teach an emergency communication system, wherein a data of latitude and longitude as possessed by said position information acquisition unit is outputted to said navigation system by said data output means, based

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on trigger condition such as a request of the navigation system or a timer in the control unit (col. 5, lines 22-26; col. 7, lines 33-44 and 50-52; col. 8, lines 11-16, position data output by the GPS, latitude and longitude, is provided; this information is updated every second).

Regarding claim 6, Timm et al. teach an emergency communication system, wherein a data necessary for performing map matching and possessed by said position information acquisition unit is outputted to said navigation system by the data output means based on trigger condition such as a request of the navigation system or a timer in the control unit (col. 7, lines 49-53; col. 8, lines 11-16, position location information may be displayed on the display means; that is exact location of the vehicle may be visualized).

Regarding claim 7, Timm et al. teach a navigation system, connectable to an emergency communication system terminal unit in such manner that signals can be transmitted or received, said emergency communication system terminal unit being installed on a vehicle and comprising a gyro sensor for generating information including advancing direction of the vehicle (col. 2, lines 1-5, speed and movement of the vehicle are provided by the system), a GPS antenna for receiving signal waves from satellites (col. 2, lines 53-63; Fig. 1, ref. 23, GPS antenna attached to the GPS receiver, and a GPS receiver for receiving a desired data from a signal waves received from said received signal waves (col. 2, line 61, a GPS receiver is included), whereby said navigation system comprises: means for performing map matching based on the information including advancing direction as received from said gyro sensor and the

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data received by said GPS receiver from said GPS antenna (col. 7, lines 49-53; col. 8, lines 11-16, position location information may be displayed on the display means; that is exact location of the vehicle may be visualized); and control means for indicating the information including position of the vehicle to display means based on the result of said map matching (Fig. 1, ref. 20 and 27; col. 2, lines 6-11 and 59-60; col. 8, lines 11-16, the controller controls the communication means of the emergency communication system and more functions of the system).

Regarding claim 8, Timm et al. teach a navigation system, electrically, connectable to an emergency communication system terminal unit, said terminal unit being installed on a, vehicle and comprising a gyro sensor for generating information including advancing direction of the vehicle, and said navigation system comprises means for receiving said information generated by said gyro sensor (Fig. 1, refs. 20, 21, 22, and 27; col. 2, lines 1-11; col. 8, lines 11-16, the system comprises a GPS receiver incorporating a system controller and message that communicates with a cellular transceiver, which in turn provide speed, direction, movement, and position of the vehicle) .

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the art with respect to systems providing position information in emergency situations.

US Pat. No. 5893061 to Timm et al.	Vehicular emergency system
US pat. No. 6014555 to Tendler	Providing a telephone number of a telephone making an emergency call
US pat. No. 5873040 to Dunn et al.	Wireless 911 emergency location system

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R Perez whose telephone number is (703) 305-8637. The examiner can normally be reached on Monday - Friday, 7:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika Gary can be reached on (703) 308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JP

3/30/04



ERIKA GARY
PATENT EXAMINER